

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LAURI VALJAKKA,
Plaintiff,
v.
NETFLIX, INC.,
Defendant.

Case No. 22-cv-01490-JST

**ORDER GRANTING DEFENDANT'S
MOTION FOR CLARIFICATION
REGARDING RULE 45 DISCOVERY**

Re: ECF No. 270

Before the Court is Defendant Netflix, Inc.'s unopposed motion for clarification on whether Netflix may serve Rule 45 discovery upon non-party AiPi, LLC. ECF No. 270. The Court will grant the motion.

Netflix served AiPi with Rule 45 discovery, and AiPi moved to quash Netflix's Rule 45 subpoena in the Eastern District of Virginia. ECF Nos. 261, 264. Magistrate Judge Fitzpatrick granted AiPi's motion to quash, finding that he did not have authority to allow discovery because, in his view, discovery was closed in this matter. ECF No. 270-3 at 11–12; 15:21–16:9. Magistrate Judge Fitzpatrick asked Netflix to seek clarification from this Court as to whether Rule 45 discovery could be served upon AiPi. *Id.*

The Court extends fact discovery to September 27, 2024, *nunc pro tunc*. For clarity, this means that the subpoena served on AiPi on January 24, 2024, was timely.

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1 In light of the ongoing case discovery, the Court vacates the current pretrial conference,
2 jury selection, and trial dates. The Court sets a Case Management Conference for July 2, 2024, at
3 2:00 p.m., at which time the Court will reset such dates. An updated case management statement
4 is due June 25, 2024.

5 **IT IS SO ORDERED.**

6 Dated: June 5, 2024

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8 JON S. TIGAR
9 United States District Judge
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